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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 04 2005

|                       |                          |                  |                  |
|-----------------------|--------------------------|------------------|------------------|
| In re application of: | Anthony Sgroi Jr. et al. | Confirmation No. | 2713             |
| Serial No.            | 10/647,505               | Art Unit:        | 3749             |
| Filed:                | August 26, 2003          | Examiner:        | Basichas, Alfred |
| For:                  | MULTI-MODE LIGHTER       | Attorney Docket: | 000618-1170-999  |

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c)

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

BIC Corporation is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,726,469 B2 ("the '469 Patent") by virtue of an assignment from Paul Adams, Anthony Sgroi, Jr., and Jeffrey F. Ukleja to BIC Corporation that was executed on February 27, 2002 and March 1, 2002.

BIC Corporation is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,491,515 B1 ("the '515 Patent") by virtue of an assignment from Brian Tubby, Paul Adams, and Floyd Fairbanks to BIC Corporation that was executed on November 20, 2000; November 17, 2000 and November 15, 2000.

BIC Corporation is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,488,492 B2 ("the '492 Patent") by virtue of an assignment from Paul Adams, Floyd Fairbanks, Anthony Sgroi, Jr., and Brian Tubby to BIC Corporation that was executed on April 10, 2001; April 18, 2001 and April 23, 2001.

BIC Corporation is the assignee of the entire right, title and interest in and to copending U.S. Patent Application No. 10/389,975 ("the '975 Application") by virtue of an assignment from Anthony Sgroi, Jr., and Paul Adams to BIC Corporation that was executed on August 11, 2003.

BIC Corporation is the assignee of the entire right, title and interest in and to copending U.S. Patent Application No. 10/788,195 ("the '195 Application") by virtue of an

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assignment from Anthony Sgroi, Jr., and Paul Adams to BIC Corporation that was executed on February 27, 2002 and March 1, 2002.

BIC Corporation is also the assignee of the entire right, title and interest in and to the above-identified present patent application, United States Patent Application No. 10/647,505, by virtue of the an assignment from Anthony Sgroi, Jr., and Paul Adams to BIC Corporation that was executed on December 9, 2003.

BIC Corporation hereby disclaims the terminal part of any patent granted on the above-identified patent application that would extend beyond the expiration date of the '469 Patent, the '515 Patent, the '492 Patent, the '975 Application, and the '195 Application. BIC Corporation also hereby agrees that any patent granted on the above-identified patent application shall be enforceable only for and during such period that said patent is commonly owned with the '469 Patent, the '515 Patent, the '492 Patent, the '975 Application, and the '195 Application.

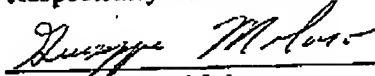
BIC Corporation further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

BIC Corporation does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration dates of the full statutory term of the '469 Patent, the '515 Patent, the '492 Patent, the '975 Application, and the '195 Application in the event that, one or all of the '469 Patent, the '515 Patent, the '492 Patent, the '975 Application, and the '195 Application later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a) or (b), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

This Terminal Disclaimer is submitted on behalf of Petitioner pursuant to 37 C.F.R. 1.321(b)(1)(iv).

Date: January 4, 2005

Respectfully submitted,

  
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